

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

RICHARD LEE GARY,

Plaintiff,

VS.

Warden JACOB BEASLEY;  
*et al.*,

Defendants.

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NO. 7:22-cv-120-WLS-TQL

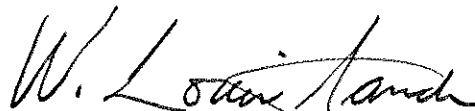
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**ORDER**

On December 6, 2022, the Court ordered Plaintiff to file a recast complaint. ECF No. 4. Plaintiff did not respond to this Order. On January 4, 2023, the Court ordered Plaintiff to show cause why his case should not be dismissed for failure to comply with the Court's December 6, 2022 Order. ECF No. 5. Plaintiff has not filed a recast complaint or otherwise responded to the Court's Orders.

Due to Plaintiff's failure to follow the Court's Orders and prosecute this action, the case is hereby **DISMISSED WITHOUT PREJUDICE**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.").

SO ORDERED, this 27<sup>th</sup> day of January, 2023.

  
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W. LOUIS SANDS, JUDGE  
UNITED STATES DISTRICT COURT